



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

JUN 17 2015

Ms. Mary Neutz
Water Quality Manager
Mid-Atlantic Division
United Water Delaware
2000 First State Boulevard
Wilmington, Delaware 19804-3569

RE: Notice of Noncompliance, Docket No. 03-2015-005-NN
United Water Delaware, PWS ID No. DE0000564

Dear Ms. Neutz:

This Notice of Noncompliance is being issued pursuant to Section 1414(a) of the Safe Drinking Water Act (SDWA), 42 U.S.C. §§ 300g-3(a). According to our records, the public water system listed above has violated certain provisions of the SDWA, 42 U.S.C. §§ 300f-300j-26, and the National Primary Drinking Water Regulations (NPDWR) found at 40 CFR Part 141.

Monitoring/Reporting Violation

United Water Delaware (UWD) is required to follow the Long Term 2 Enhanced Surface Water Treatment Rule monitoring plan approved by this office on January 9, 2015. That plan requires UWD to collect a monthly sample of E.coli, Cryptosporidium, and turbidity for each of UWD's two plants on specific calendar days. For the month of May 2015 UWD was required to collect a sample on the 12th of the month. UWD failed to collect a valid sample for the Stanton Plant within the parameters of the sampling schedule.

While UWD did take the required replacement sample within the 21 day time frame pursuant to 40 CFR § 141.702 (b)(2)(ii), it did not submit an explanation for the delayed sampling date to EPA concurrent with the shipment of the sample to the laboratory. EPA received notice of the delayed sampling on June 2, 2015 with the submission of the monthly report. However the report did not include an explanation of the delayed sampling. Therefore UWD has incurred a monitoring and reporting violation pursuant to 40 CFR § 141.702 (b)(2)(ii).

To avoid further reporting violations of this type, UWD must submit an explanation for the delayed sampling date to EPA prior or concurrent with the shipment of the sample to the laboratory. The explanation must meet one of the conditions in 40 CFR § 141.702 (b) (1) or (2). If one of those conditions is not met, UWD must submit to EPA a revised sampling schedule pursuant to 40 CFR § 141.702 (c).



Public Notice

UWD public water system must issue Tier 3 public notice of the monitoring and reporting violation for late reporting no later than one (1) year from the date of this letter, pursuant to 40 CFR § 141.204 (c)(2). You must also submit a certification and a representative copy of the public notice to EPA and DE Office of Drinking Water no later than ten (10) days following the completion of public notice, pursuant to 40 CFR § 141.31(d).

Consumer Confidence Report

The violation must be noted in the 2015 Consumer Confidence Report (CCR) for UWD to be issued by July 1, 2016, pursuant to 40 CFR § 141.153(f). The CCR must include an explanation of the violation, and potential adverse health effects, and steps the system has taken to correct the violation.

If you have any questions regarding the above, please contact Amy Cohen, Ground Water and Enforcement Branch, at 215-814-3296 (cohen.amy@epa.gov) or Alysa Zirilli, Drinking Water Branch at 215-814-5733 (zirilli.alysa@epa.gov).

Sincerely,



Karen D. Johnson, Chief
Ground Water and Enforcement Branch

cc: Ed Hallock, DE DHSS, ODW